



WEB COPY

WP. No.33759 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on:29.10.2025

Pronounced on:07.11.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P. No.33759 of 2025

and WMP. No.37883 & 37885 of 2025

Selvaraj

Petitioner

Vs

- 1.The District Collector,
District Collectorate,
Kancheepuram 631 561.
- 2.The Superintendent of Police,
Kancheepuram District.
- 3.The Joint Commissioner,
HR & CE, Kancheepuram 631 561.
- 4.The Tashildar,
Kancheepuram 631 561.
- 5.The Inspector of Police,
Walajabad Police Station,
Kancheepuram 631 561.
- 6.Rajkumar
- 7.Pandurangan
- 8.Saravanan
- 9.Anandan

Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents 1, 3 & 4 and other caste Hindus to permit the Petitioner and his community people to enter into the temple situated at Puthagaram Village namely Muthu Kolakki Amman Temple and permit them to do worship and other ritual activities as per the agamas and local rituals



permitted in the said temples and also to permit them to participate in the Muthu Kolakkiamman Temple Car festival allowing the Temple Car to come till Dalit Colony during its trial run (Vellottam) and also during Main Run (Vethiyula) every year as per the Representation dated 25.08.2025.

For Petitioner : Mr.S.Kumaraswamy
Mr.D.Parventhan
For Respondent : Mr.M.Murali,
Government Advocate for R1 and R4
Mr.L.Baskaran,
Government Advocate for R2 and R5
Mr.N.R.R.Arun Natarajan,
Special Government Pleader for R3
Mr.G.Karthikeyan,
Senior Counsel for
Ms.A.Jagadeeswari for R6 to R8
Mr.R.Thirumoorthi for R9

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents 1, 3 and 4 and other caste Hindus to permit the petitioner and the petitioner's community people to enter into the Temple viz., Muthu Kolakki Amman situated at Puthagaram Village, permit them to do worship and participate in the other ritual activities and also permit them to participate in the Car Festival, by allowing the Temple Car to come till the Dalit Colony, during its trial run and also during the main run.



2. I have heard Mr.S.Kumaraswamy, learned counsel for Mr.D.Pariventhan, the petitioner and Mr.M.Murali, learned Government Advocate for respondents 1 and 4. Mr.L.Baskaran, learned Government Advocate for respondents 2 and 5. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader for third respondent and Mr.G.Karthikeyan, learned Senior Counsel for respondents 6 to 8. Mr.R.Thirumoorthy, learned counsel for the 9th respondent.

3. Mr.S.Kumaraswamy, learned counsel for the petitioner would firstly contend that the petitioner belongs to the Schedule Caste Community and has been a resident of Puthagaram village ever since his birth. Muthukolakkiamman Temple is situate in the said village and the said temple owns several acres in and around the village. The allegation of the petitioner is that there has been resistance by the Upper Caste people against the people from the downtrodden sections of the Society and in the past, there have been various complaints and representations including Peace Committee Meetings, to even permit the Dalit Community persons to enter into the Temple. Mr.S.Kumaraswamy, learned counsel for the petitioner would further state that though the Temple is under the control of the Hindu Religious and Charitable



Endowment Department (in short 'HR & CE'), discrimination continues even now and the caste Hindus have taken law into their own hands and not permitting the Schedule Caste people belonging to Puthagaram village to even worship the deity.

4. According to the petitioner, in the first week of September 2025, the Temple Car Festival was announced and the people belonging to the Schedule Caste community were prevented from participating in the festivities, which prompted several representations to be given to the District Administration. In pursuance of the same, a Peace Committee Meeting was also conducted. In the said Peace Committee Meeting, the respondents 6 to 8 claiming to be representatives of the Upper Caste community were adamant in not permitting the Schedule Caste community people to conduct the Car festival. The learned counsel for the petitioner, would submit that despite the Constitution of India guaranteeing freedom of religion and strongly condemns untouchability and inequality, the respondents 6 to 8 have successfully prevented the residents of the Dalit Colony from worshipping the deity and also participating in the Temple Car festival. According to the petitioner, despite representations given to the Authorities concerned, they have not



protected the right of the petitioner and the Schedule Caste community people and hence, with no other option, the petitioner has been constrained to file the present writ petition.

5. I find that by order dated 04.09.2025, this Court had directed the respondents to permit the petitioner and other devotees to worship the deity and also a field inspection to be conducted and a report along with plan for the Temple Car procession route being filed.

6. In compliance with the order dated 04.09.2025, the District Collector, Kancheepuram has filed a status report dated 12.09.2025. On the side of the statutory respondents, it is contended by the respective Government Advocates that there is no prohibition for the petitioner and the other Scheduled Caste community people to either enter into the Temple, to worship the deity or from participating in the festivals including the Temple Car festivals. The status report filed by the District Collector, Kancheepuram is relied upon by them in this regard. Mr.R.Thirumoorthy, learned counsel for the impleaded 9th respondent, states that the 9th respondent represents Tamil Nadu Untouchability Eradication Front (in short 'TNUEF') and he also supports the cause of



the petitioner and in fact seconds the allegations made in the affidavit in support of the writ petition regarding the oppressive practices of the caste Hindus in the village.

7. However, Mr.G.Karthikeyan, learned Senior Counsel appearing for the respondents 6 to 8 would submit that for the past several decades, the practice and custom of adopting a particular Car route for the Temple Car procession is in place and there is no necessity to alter or change the route, which would only lead to multitude of complications in future. Mr.G.Karthikeyan, learned Senior Counsel would submit that if the request of the petitioner is acceded to this time, then some other persons in the locality might seek for the Temple Car visiting this streets where they reside and there will be no end to this exercise.

8. As regards the allegations of untouchability and casteism, Mr.G.Karthikeyan, learned Senior Counsel would deny the allegations of the petitioner and state that there has never been an objection for the petitioner or people from any community to enter the temple and worship the deity. Even as regards the request for alteration of the Temple Car route, he would submit that it is not as if the petitioner and his



community people are being prevented from participating in the functions and in fact, he would state that towards end of the procession, the people belonging to Schedule Caste and Schedule Tribe community are permitted to put up “Padayal” without which the procession is not completed and that this practice has been in vogue for centuries. He therefore, contends that under the guise of such false accusations, the petitioner is seeking an extension of the existing route to enable that the Temple Car enters into the Dalit Colony which is wholly unnecessary. He further contends that it is the usual practice that the Temple Car goes only around the Madaveethis and not to any other street and it is only under such circumstances, the respondents had objected to the settled route of the Temple Car being disturbed or altered. He would therefore pray for the dismissal of the writ petition.

9. The District Collector, Kancheepuram after having a detailed field inspection conducted, pursuant to the order of this Court dated 04.09.2025, along with the Superintendent of Police, the Sub Collector, Kancheepuram, the Assistant Commissioner, HR & CE, the Tahsildar, Walajabad and the Village Administrative Officer of Puthagaram Village as well as officials of the TNEB, examined the existing route of the



Temple Car and also the proposed extensions by running the Temple Car into the Schedule Caste habitation which is mentioned as Dalit Colony, has concluded in the said status report that the requested extensions to the route plan are feasible without affecting the historic character of the procession and at the same time, addressing the grievances of the petitioner and local community people. In fact, the District Collector has, along with the status report, furnished an integrated route plan, taking into account the dimensions of the Temple Car and excepting for suggesting certain minor works to be undertaken in co-ordination with the few Government Departments, according to the District Collector, there is no difficulty in allowing the Car to go through the integrated route and the same has found to be technically and operationally feasible, provided the necessary repairs in certain stretches to the existing route as well as the proposed route are carried out

10. I have carefully considered the submissions advanced by the learned counsel on either side. I have also kept in mind the status report filed by the District Collector, Kancheepuram.

11. The Constitution of India under Article 17, abolished



untouchability. Such abolition was not just in physical form but in true letter and spirit. Therefore, none can dictate terms as to who is entitled to stand before the deity and worship and who cannot. In any event, all the respondents, have in unison, stated that there is no bar for any person belonging to any community to enter the Temple and worship the deity. In the light of the above, I do not see any difficulty in recording the stand of the respondents and this would sufficiently address the grievance and apprehension of the petitioner with regard to one part of the prayer in the writ petition.

12. Coming to the change in the route of the Temple Car, it is now on record, with the filing of the report by the District Collector, Kancheepuram, the integrated route including the extensions from the existing/old route is certainly possible. The District Collector has only suggested that in order to give effect to the integrated route, certain repairs/alterations ought to be carried out, which again is possible. In this regard, Mr.G.Karthikeyan, learned Senior Counsel appearing for the private respondents contends that there is no requirement for any deviation or change from the existing route which has been in practice for several decades now and that if any modification or change in route is



permitted at the instance of the petitioner or people from one section of the Society, then there is every likelihood that this would open a floodgate for anybody residing in the village to come forward with similar requests. Faith cannot be fenced by caste or creed and divinity cannot be confined by human prejudice. God does not reside in certain streets alone. No street is unworthy of the chariot or the god it carries. God never discriminates. So discrimination cannot be wrapped in the sanctity of tradition.

13. When the petitioner represents the Dalit community/Colony, residents of Puthagaram Village and approached the Authorities with a request that the Temple Car procession enters their Colony and the officials also, that too, pursuant to directions of this Court, have stated that it is very much possible for the Temple Car route to be integrated in such a manner that it would also visit the Dalit Colony, I see no reason why the private respondents should be worried about future and non-existent claims as on date. We as a Society have evolved over time and have adapted to several changes and therefore, to resist change citing settled custom, tradition and practice can never be a valid defence available to the private respondents. It is not as if the request of the



petitioner is his selfish motive. The petitioner only espouses the cause of the residents of the Dalit Colony who have shown keen interest and desire that the Temple Car visits their Colony, as part of the procession. I am unable to countenance the submission of Mr.G.Karthikeyan, learned Senior Counsel that this will open a pandora's box. In the present case, this Court by order dated 04.09.2025 directed the District Collector to find out the feasibility of such alteration in the route and it is only with the approval of the District Collector, who has taken all authorities concerned, into confidence that the change in route is being permitted. Therefore, it is not as if any strong request has been considered.

14. This Court vide order dated 04.09.2025, had wanted to ascertain, if it is even possible to consider the petitioner's request and therefore, a report was called for from the District Collector, Kancheepuram. The District Collector with the assistance of all necessary officials, has visited the site and stated that the Temple Car procession route can be altered to include two new extensions which would satisfy the request and desire of the residents of the Dalit Colony, Puthagaram village. Further, from the existing map and the proposed integrated map, I find that even the existing route does not appear to be



around Kolakkiamman Temple, through the Four Mada Streets alone. In fact, from the plans filed by the District Collector, I do not even find that the Temple has Four Mada Streets and even the existing route taken by the Temple proceeds in South West direction and turns South at Cross Street and thereafter, turns East at Puthagaram Road upto Annamar Temple and it returns in the same route and proceeds West and beyond Cross Street, it takes a turn towards North at Puthagaram Road and turns Right towards East at Bajanai Koil Street and returns to the Temple (Kolakkiamman Temple).

15. Thus, the contention of Mr.G.Karthikeyan, learned Senior Counsel that for decades, the Temple Car procession has been going only around Four Mada Streets cannot be countenanced. Now, the extensions, as seen from the proposed integrated route are only that the Temple Car proceeds further East from Annamar Temple and goes upto MGR Bus Stop before it takes a u-turn at Puthagaram Road and returns and instead of turning North at Puthagaram Road, it proceeds straight towards Muni Eswaran Temple and at Muni Eswaran Temple, it takes a u-turn and proceeds towards East and takes a turn towards North and joins Bajanai Koil Street. Therefore, I do not see any impediment whatsoever for the



proposed integrated route, approved by the District Collector as well, to be implemented.

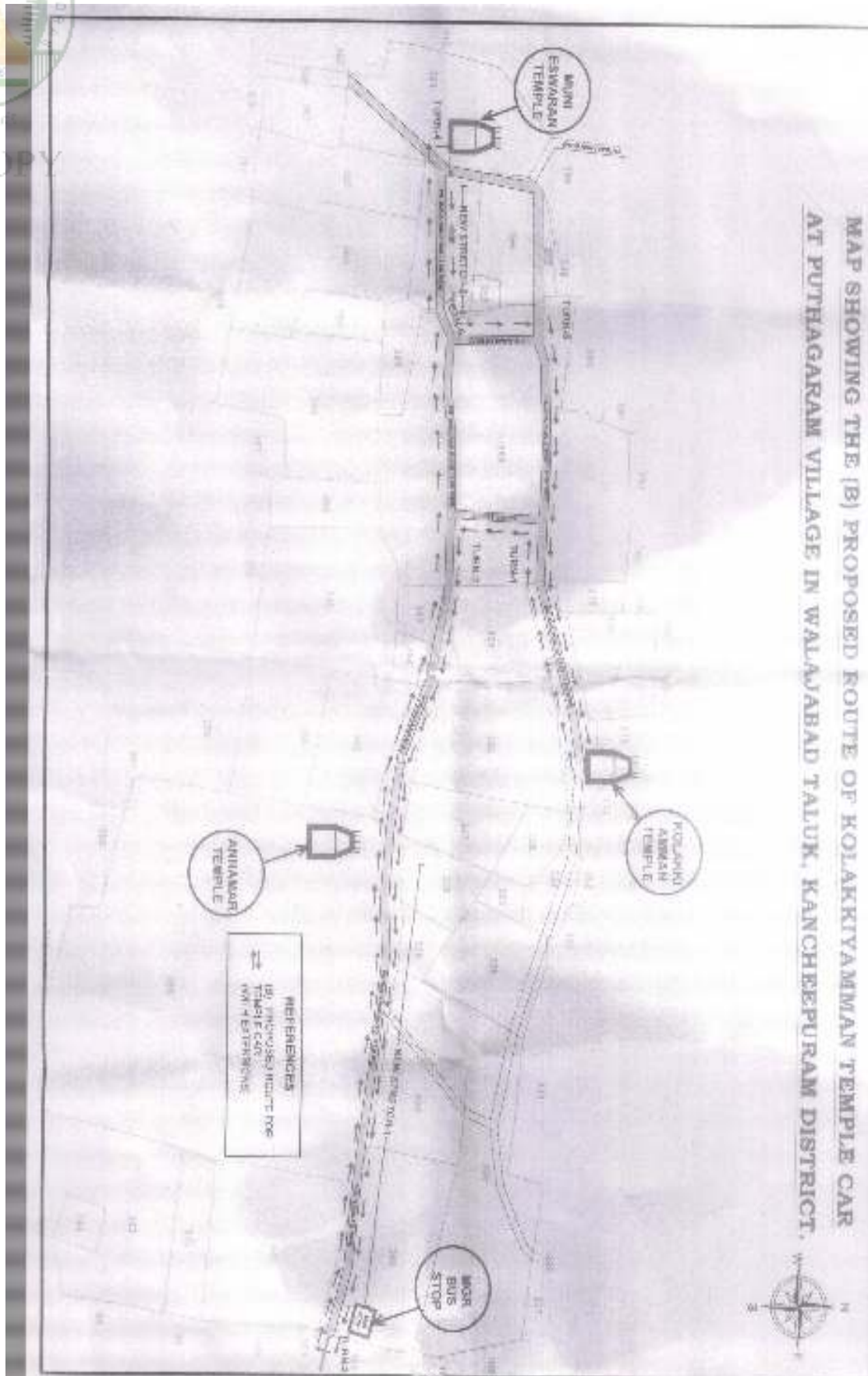
WEB COPY

16. In the light of the above, I am inclined to allow the Writ Petition in the manner following:-

(i) The stand of the respondents that there is no bar for the petitioner and his community people to enter into Muthukollakkiamman Temple and worship the deity is recorded. The respondents 1 to 5 shall ensure that there is no form of discrimination practiced or permitted in allowing the people from worshipping the deity.

(ii) The status report of the District Collector, Kancheepuram is accepted and the Temple Car shall proceed on the lines of the proposed integrated route suggested by the District Collector in his status report dated 12.09.2025, both during the trial run as well as during the main run. The official Respondents shall ensure that the Temple procession festival is conducted peacefully. The 5th respondent, in particular shall ensure sufficient police protection both during the trial run as well as the main run.

(iii) The copy of the map suggested and approved by the District Collector shall form part of this order. A scanned copy of the said map is reproduced hereunder:-





WEB COPY

17. In fine, this Writ Petition is allowed with the above directions.

Consequently, connected Miscellaneous Petitions are closed. No costs.

07.11.2025

rkp

Index : Yes / No

Internet : Yes / No

To:

- 1.The District Collector,
District Collectorate,
Kancheepuram 631 561.
- 2.The Superintendent of Police,
Kancheepuram District.
- 3.The Joint Commissioner,
HR & CE, Kancheepuram 631 561.
- 4.The Tashildar,
Kancheepuram 631 561.
- 5.The Inspector of Police,
Walajabad Police Station,
Kancheepuram 631 561.



WEB COPY

WP. No.33759 of 2025



P.B.BALAJI, J.,

rkp

Pre-delivery order in
W.P. No.33759 of 2025
and WMP. No.37883 & 37885 of 2025

07.11.2025